

Notice of Allowability

Application No.

10/622,107

Examiner

Theresa Trieu

Applicant(s)

HOSONO, KATSUAKI

Art Unit

3748

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the IDS filed on September 14, 2005.
2. ☒ The allowed claim(s) is/are 1-5,7-12,14-19 and 21-30.
3. ☒ The drawings filed on 16 July 2003 are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

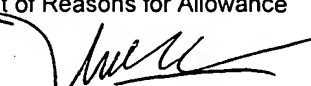
* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date 09/14/2005
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____.
7. ☐ Examiner's Amendment/Comment
8. ☐ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.


Theresa Trieu
Primary Examiner
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EXAMINER'S AMENDMENT

This Office Action is responsive to the applicant's amendment filed on April 5, 2005 and the IDS filed on September 14, 2005.

Claims 1, 8 and 15 have been amended. Claims 6, 13 and 20 have been canceled. Accordingly, claims 1-5, 7-12, 14-19 and 21-30 are pending in this application.

Election/Restrictions

The election of the species of Figures 1-3 filed on October 26, 2004 is acknowledged; however, rendered moot in view of the allowance of a generic claim. Accordingly, the restriction requirement mailed on September 28, 2004 is hereby withdrawn. In view of the allowance of the generic claims 1, 8 and 15, non-elected claims 3-5, 7, 10-12, 14, 17-19 and 21 have been rejoined with their base claims. Claims 1-5, 7-12, 14-19 and 21-30 are allowed.

Claims

Authorization for this examiner's amendment was given in a telephone interview with Mr. Louis J. Del Juidice (Reg. No. 47,522) on June 27, 2005. During telephone conversation with Mr. Del Juidice, an agreement was reached to amend Claims 7, 14 and 21. The application has been amended as follows:

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

- Claim 7: page 4, line 1, "claim 6" has been changed to -- *claim 1* --.
- Claim 14: page 6, line 1, "claim 13" has been changed to -- *claim 8* --.

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- Claim 21: page 9, line 1, "claim 20" has been changed to -- *claim 15*--.

The amendment to the claims has been entered to correct a typographical error.

Allowable Subject Matter

The following is an examiner's statement of reasons for allowance: the prior art fails to disclose or render obvious the claimed combination including the tooth tip profile of each of at least one of external teeth of an inner rotor and internal teeth of an outer rotor; the inner/outer rotor being formed such that a base epicycloids/hypocycloid (cycloid) curve is divided at a midpoint thereof to obtain two inner/outer tooth curve segments, and the two inner/outer tooth curve segments being separated by a predetermined distance along the circumference of a base circle or in the direction of a tangent of the base cycloid curve drawn at the midpoint thereof and being smoothly connected to each other using a curve or a straight line; and wherein the predetermined distance between the two tooth curve segments being " α ", and the tip clearance being " t ", " α " being set so as to satisfy the following inequalities: $t/4 \leq \alpha \leq 3t/4$ and $t/4 \leq \beta \leq 3t/4$.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Prior Art

The IDS (PTO-1449) filed on September 14, 2005 has been considered. An initialized copy is attached hereto.

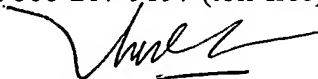
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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Theresa Trieu whose telephone number is 571-272-4868. The examiner can normally be reached on Monday-Friday 8:30am- 5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thomas E. Denion can be reached on 571-272-4859. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

TT
November 16, 2005



Theresa Trieu
Primary Examiner
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